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RUEHNE/AMEMBASSY NEW DELHI PRIORITY 1563
RUEHCI/AMCONSUL KOLKATA PRIORITY 3563
RUEHGV/USMISSION GENEVA PRIORITY 1691
RUEKJCS/SECDEF WASHDC PRIORITY
RUCNDT/USMISSION USUN NEW YORK PRIORITY 2749
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C O N F I D E N T I A L SECTION 01 OF 04 KATHMANDU 001119

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E.O. 12958: DECL: 06/06/2017
TAGS: [PREL](#) [PGOV](#) [EAID](#) [KDEM](#) [NP](#)
SUBJECT: NEPAL: INTERNATIONAL NGOS PESSIMISTIC ON NOVEMBER
ELECTION DATE

REF: KATHMANDU 1092

Classified By: Ambassador James F. Moriarty. Reasons 1.4 (b/d).

Summary

1. (SBU) The IFES Country Representative, Asia Foundation Country Representative, and Carter Center Field Director told Assistant Secretary of State for Democracy, Human Rights and Labor Barry Lowenkron on June 2 that many complex issues would have been resolved if the Government of Nepal hoped to hold a late 2007 Constituent Assembly (CA) election. All agreed that the May 31 GON announcement that the CA election would be held by mid-December would re-focus the parties on necessary pre-election tasks. However, the GON had to quickly decide upon an electoral system and a process for ensuring diverse candidate lists. Security conditions also had to improve in the countryside. The election experts called the Election Commission "technically competent," while faulting political party leadership for not implementing internal democratic norms. The Carter Center representative said former President Carter intended to use his mid-June visit to accelerate election preparations and encourage forward progress in the peace process, particularly inclusion of marginalized groups.

A November Election Won't Be Easy

2. (SBU) IFES Nepal Director Peter Erben, Asia Foundation Country Representative Nick Langton, and Carter Center Nepal Director Darren Nance told Assistant Secretary of State for Democracy, Human Rights and Labor Barry Lowenkron that many challenges remained unresolved ahead of the late 2007 CA Election. All agreed that the GON's May 31 announcement that the CA election would be held in the Nepali month of Mangsir (mid-November to mid-December) would re-focus the parties on completing necessary pre-election tasks. Without a deadline, the election experts said, the process had begun to drift. Erben said, however, that, unless the parties could decide on an electoral system, an "affirmative action" approach to ensure diverse candidate lists, and a way to improve security conditions, Nepal would not be ready in time for a fall election. Erben stressed these tasks needed to be carried

out in an open and inclusive manner. In the past, party leaders had taken important decisions too quickly and without consultation with other affected groups. The experts agreed that fragile security conditions and a challenging political environment might make a November/December election difficult. February 2008 might be a more probable timeframe for the election.

Electoral System Up in the Air

13. (SBU) The IFES Chief told A/S Lowenkron that, while the parties had agreed in the Comprehensive Peace Agreement (CPA) and the Interim Constitution to use a mixed first-past-the-post and proportional electoral system for the CA election, the debate over the electoral system had been re-opened. The Communist Party - United Marxist Leninist (CPN-UML), he noted, was now pushing for a pure "multi-member" proportional system in which the country would be carved into large constituencies (to ensure regional representation). Erben emphasized that experts had a high regard for the proportional system, but stressed that Nepal had never before held an election on that basis. He also referred to the controversy around the Electoral Constituency Delineation Commission, emphasizing the Commission would not be necessary under a purely proportional approach.

Ensuring Diverse Candidate Lists

14. (SBU) The IFES representative said that, after the electoral system, the second big sticking point was

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determining a process for ensuring diverse candidate lists or "affirmative action" measures. Much debate, Erben relayed, existed on what rules would be applied to the parties to ensure their candidate lists included marginalized groups and women. He was not at all sure that the parties would succeed in coming up with an acceptable formula.

Political Parties Are the Problem

15. (SBU) A/S Lowenkron lamented that he had observed a lack of vision on behalf of the political party leadership. When he had posed the question the day before to senior leaders from the Nepali Congress, the CPN-UML, and the National Democratic Party, "What do you hope to achieve when in power?" he had received no real response. Erben opined that the fact that the parties were not democratizing internally and transitioning to modern political parties was a huge obstacle in the peace process. Even if one laid out a perfect election process, it would fail if the parties did not participate responsibly; it would be like having a "fantastic basketball court and referees but no team," Erben said. Asia Foundation Chief Langton agreed that the political parties post-transition were looking quite similar to the parties pre-transition, and that introducing internal democratization efforts would be the only way to progress. He said, when he asked Nepalis the greatest challenge they faced in moving toward peace and democracy, they often pointed to the failure of the political parties.

Election Commission Able

16. (SBU) Describing the EC as "technically competent," the IFES representative said the real challenge for holding a credible election on time was the parties. If they were unable to agree upon an electoral system, it would be impossible for the EC to move forward with necessary planning. The NGO heads agreed that Chief Election Commissioner Boj Raj Pokharel was a strong and capable leader. A/S Lowenkron concurred, describing how impressed he had been with him in their recent meeting (reftel). Langton

agreed that, in the Asia Foundation's experience, it was the parties, not the EC that was difficult to work with.

President Carter's Visit to Nepal

17. (C) A/S Lowenkron asked Carter Center Field Representative Nance what President Carter planned to focus on during his upcoming visit to Nepal, suggesting that it would be helpful if Carter could emphasize the need to re-energize the National Human Rights Commission (NHRC). Nance said Carter's visit would be used to raise the profile of various election preparation issues and encourage forward progress in the peace process. Nance said Carter would be meeting with a variety of marginalized groups as well as party leaders, including Maoists, the UN and bilateral missions. Lowenkron expressed concern that the NHRC's important mandate was not being carried out because of political wrangling over the appointment of commissioners. Nance said he would see if a Carter visit to the NHRC would be possible, agreeing a high-profile meeting with the former President could be helpful in highlighting the issue.

U.S. Support Needed for Ballot Purchase

18. (SBU) Erben said the EC was receiving the international support necessary in general terms to prepare for the election but was still looking for a donor to assist with the purchase of ballots. Erben told A/S Lowenkron that this was an area where he hoped the U.S. might be able to contribute, particularly because of the symbolism of purchasing the ballots themselves. He estimated roughly USD 2 million would be needed. (Note: In Emboff's meeting in May, UN Mission in Nepal (UNMIN) Electoral Chief Fida Nasrallah also asked

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whether the U.S. could assist in purchasing the ballots. End Note.)

Carter Center Election Observation Activities

19. (SBU) Nance told A/S Lowenkron that the Carter Center had been in Nepal for three years, initially as a small office focused on the peace process. At the invitation of all the parties, the Carter Center had begun election monitoring activities. Because of its desire to avoid being overly identified with the United States, Nance said, the Carter Center did not receive U.S. funding. Nance reported that the Carter Center had 15 long term observers (LTOs) in place. Most of the LTOs were deployed to Nepal's five development regions (with one additional roaming team) and were reporting weekly on the environment ahead of elections. Nance said that in mid-June the Carter Center would likely reduce the number of LTOs for the monsoon season, re-surfing two months ahead of the election with 35-40 additional monitors. A short-term international election observation mission of 120-140 would be deployed immediately ahead of the election.

UNMIN and IFES Election Support

110. (SBU) The IFES Chief said the electoral support component of the UNMIN was well-staffed and the international NGOs working on elections were well-coordinated with UNMIN's efforts. Erben said UNMIN had close to 50 personnel placed within the EC to provide technical support and would be deploying 100 to the field as the election drew near to assist with election education and training activities. He described a good division of labor between UNMIN and election-focused international NGOs. Since UNMIN did not have program money for election activities or a mandate for election observation, it focused on technical support, while IFES and other NGOs filled in the gaps. Erben told A/S Lowenkron that IFES's main activity was working with the EC

on a five-year strategic plan, anticipating not just the CA election but the national and local elections that would follow.

Asia Foundation Election Support Activities

¶11. (SBU) Asia Foundation Head Langton reported that TAF's election support activities fell in three areas: 1) an extensive domestic monitoring effort; 2) a civic and voter education campaign; and 3) support for a international election observation mission of 30-40 observers from the South Asia region. Langton reported that the monitoring and civic/voter education effort would be carried out in all 75 districts and would utilize a network of local NGOs, the "National Election Monitoring Alliance." Over 20,000 domestic election monitors would be trained and deployed ahead of the election.

Comment

¶12. (SBU) Post is heartened by the Government of Nepal's announcement that the Constituent Assembly Election will take place by mid-December 2007. Prior to this decision, the election, and therefore the peace process, seemed on the verge of going adrift. While complex pre-election tasks remain, we will continue to push the GON and political party leadership to meet the new deadline and to adopt the necessary election legislation. An improved security environment will also be key. In addition, we will continue to promote coordination of international and domestic election monitoring efforts and early reporting on the election environment. Finally, we would second the election experts' observation that, unless the political parties themselves are reformed, even a perfect election process will not yield a democratic Nepal.

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¶13. (U) Assistant Secretary Lowenkron has cleared this message.
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